

July 20, 2004

July Twentieth

20-----04

The second regular Meeting of Council was held on the above date at 7:00 p.m. in the Council Chambers located on the Fourth floor of the Municipal Building. The following Council Members were present: P. A. "Pete" Castiglione, Jr., E. Stokes Daniels, Jr., Mayor John C. Hamlin, T. David Luther, Sherman M. Saunders, H. Phillip Smith, and Vice-Mayor R. Wayne Williams, Jr. (7). Ruby B. Archie and Albert K. "Buddy" Rawley, Jr. were absent (2).

Staff members present were Deputy City Manager M. Lyle Lacy, III, Assistant City Manager for Utilities Joseph C. King, Assistant City Manager for Government Affairs Todd M. Yeatts, Finance Director Aubrey D. Dodson, City Attorney W. Clarke Whitfield, Jr., and City Clerk Annette Y. Crane, CMC.

Other Staff members present were Transportation Services Director Marc Adelman, Public Works Director Rick Drazenovich, Community Development Director Jerry Fischer, Development Coordinator Randy Gentry, Parks, Recreation, and Tourism Director John Gilstrap, Economic Development Marketing Specialist Renee' Wyatt, and Emergency Services Director Doug Young.

Mayor Hamlin presided.

INVOCATION AND PLEDGE OF ALLEGIANCE

Council Member David Luther offered the invocation. The Pledge of Allegiance to the Flag followed.

ANNOUNCEMENTS AND SPECIAL RECOGNITION

Mayor Hamlin recognized Vice-Mayor Williams. He introduced Colonel Gene Jackson of the local Civil Air Patrol (CAP). Dr. Williams said Colonel Jackson had been instrumental in revitalizing the CAP in Danville.

Colonel Jackson advised the CAP is part of the United States Air Force Auxiliary. Its mission is to serve America by developing our nation's youth, accomplishing local, state, and national missions, and informing citizens about the importance of aerospace education.

In reviewing the history of the organization, Colonel Jackson said the CAP was founded in December 1941, one week before the Japanese attack on Pearl Harbor, but over 150,000 citizens concerned about the defense of America's coastline. Flying under the jurisdiction of the Army Air Forces, CAP pilots flew over one-half million hours, were credited with sinking two enemy submarines and rescued hundred of crash survivors during World War II. On July 1, 1946, President Truman established CAP as a federally chartered benevolent civilian corporation, and Congress passed Public Law 557 on May

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26, 1948, which made CAP the auxiliary of the new U. S. Air Force. CAP was charged at that time with three primary missions: Aerospace Education, Cadet Programs, and Emergency Services. Following 9/11, Homeland Defense was added to the missions.

Colonel Jackson distributed packets to Council Members containing additional information about the organization. He advised that Danville's organization currently has 92 members, which includes staff members and remains ready for all types of emergencies. Danville has been selected as a mission base and is able to provide homeland defense, communications services, emergency services, and the hangar at Danville Regional Airport has the capacity for three aircraft. The newest CAP Cessna 182 is hangared at the airport.

Colonel Jackson introduced Captain Mark Evans of the local CAP. Captain Evans announced the City's squadron has been voted the best in the State by the twenty-two squadrons located in Virginia. He said three years ago, the City had only three members. Today, there are 90. The CAP has recently partnered with the Florida Space and Rocket Institute in NASA. Danville is one of only nine squadrons that was chosen to partake of an online education program.

Colonel Jackson introduced a number of staff and cadets who were present for the meeting.

Mayor Hamlin commended the group for their excellence and thanked them for the presentation.

Mayor Hamlin called on Public Works Director Rick Drazenovich for an update on bridge construction at Route 58 and Martin Luther King, Jr. Memorial Bridge. Mr. Drazenovich advised it is anticipated the bridge will be completed by the end of December 2004.

Council Member Castiglione inquired about the possibility of police officers directing traffic during rush hours in order to keep traffic moving as expeditiously as possible. Mr. Drazenovich said it could be done and agreed to investigate the matter and report back to Council.

Council Members Daniels felt that if contractors were willing to work at night, the project could be completed sooner than the December target date. Mr. Drazenovich said VDOT had been asked to consider the possibility. Deputy City Manager Lacy said VDOT had been strongly advised to make that recommendation to the contractors.

COMMUNICATIONS FROM VISITORS

Mayor Hamlin recognized Jonathan Hackworth. Mr. Hackworth distributed a handout entitled "Worsham Gates Proposal" and made the following proposal:

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“Since Danville’s founding in 1793, there have been various engineering marvels built. The Hotel Burton in 1880, the Masonic Temple in 1920, Mill 8 in 1922, Hotel Danville in 1927, and Worsham Street Bridge in 1928. These structures have changed the skyline of Danville and have been a visible part of Danville since their inception. Although all but one of the structures remains, we are about to lose another – Worsham Street Bridge. Once the bridge is gone, we will be losing an important part of our history and a vital part of a portion of our community. What will go in its place? According to the Virginia Department of Transportation (VDOT), nothing will. The step grade of the hill will be braced and the bridge will be gone and remembered only in pictures. We have a unique opportunity with this situation. We can once again build an architectural wonder that would dominate the skyline and become a part of the city’s attempt to build on the tourism industry. The idea is what I call “Worsham Gates.”

The idea for Worsham Gates came from a variety of sources. One draws from local nicknames for the Worsham Street Bridge – Cathedral in the Sky and Danville’s Gate. Second, the design is inspired by some of Danville’s lost architectural treasurer – Danville Military Institute, Hotel Burton, and the old Sacred Heart Church on West Main Street. There are three parts or phases of this concept:

- Worsham Cathedral;
- Gordorian Gates;
- Shadows Park.

The project is intended to tie into the River Walk Trail, which will eventually extend up to the northern bank of the Dan River to Schoolfield Dam from the Train Station. The community of North Main, as a whole, have expressed that they feel very unsafe crossing the intersection of Route 58 and Main Street because of the amount of traffic. This concept is a way to give safe access to the MLK, Jr. Bridge and the North Main community and pedestrians of the trail. The funding for this project could be obtained by a TEA-21 Grant upon inclusion into the River Walk Trail system.”

Mr. Hackworth was asked if he could give Council a cost estimate of the project. He said the cost would be approximately \$6,000,000 with about \$2,500,00 of that amount coming from grant funds.

Following a review of the three concepts presented by Mr. Hackworth, Mayor Hamlin expressed sincere appreciation for the excellent presentation.

MINUTES

Upon Motion by Council Member Luther and second by Council Member Smith, Minutes of the July 1, 2004 Council Inaugural Meeting and the Regular July 6, 2004 Council Meeting were approved as presented. Draft copies had been distributed to Council Members prior to the Meeting.

BUDGET ADOPTION-FY 2004-05-JUVENILE ACCOUNTABILITY GRANT

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Upon Motion by Vice-Mayor Williams and second by Council Member Smith, Ordinance No. 2004-07.04 presented by its First Reading on July 6, 2004 amending the Fiscal Year 2004-2005 Budget appropriation Ordinance by increasing revenues to anticipate the receipt of funds from the Juvenile Accountability Block Grant in the amount of \$15,588 and local share in the amount of \$1,732 for a total appropriation in the amount of \$17,320 was adopted by the following vote:

VOTE: 7-0
AYE: Castiglione, Daniels, Hamlin, Luther, Saunders, Smith, and Williams (7).
NAY: None (0).
ABSENT: Archie, and Rawley (2).

BUDGET ADOPTION-FY 2004-05-TROLLEYBUSES-TRANSIT SYSTEM

Upon Motion by Council Member Castiglione and second by Council Member Smith, Ordinance No. 2004-07.08 presented by its First Reading on July 6, 2004 amending the Fiscal Year 2004-2005 Budget Appropriation Ordinance to provide for Federal, State and Local Funding for the purchase of two trolleybuses to be operated by the Danville Transit System for a total appropriation of \$218,749 was adopted by the following vote:

VOTE: 7-0
AYE: Castiglione, Daniels, Hamlin, Luther, Saunders, Smith, and Williams (7).
NAY: None (0).
ABSENT: Archie, and Rawley (2).

In response to Council Member Luther, Transportation Services Director Marc Adelman replied that some of the cost for maintenance on the trolleybuses would come from Demonstration Grant funds and from the Mass Transit local operating budget.

BUDGET ADOPTION-FY 2004-05-EXPANDED SUMMER PROGRAM

Upon Motion by Council Member Smith and second by Council Member Daniels, Ordinance No. 2004-07.09 presented by its First Reading on July 6, 2004 amending the Fiscal Year 2004-2005 Budget Appropriation Ordinance to provide for funds in the amount of \$51,775 for a Recreation Enrichment Program and the Expanded Summer Program and the local in-kind share of \$48,559 and appropriation of same was adopted by the following vote:

VOTE: 7-0
AYE: Castiglione, Daniels, Hamlin, Luther, Saunders, Smith, and Williams (7).
NAY: None (0).
ABSENT: Archie, and Rawley (2).

BUDGET ADOPTION-FY 2004-05-DONATION-LOW INCOME YOUTH

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Upon Motion by Council Member Smith and second by Vice-Mayor Williams, Ordinance No. 2004-07.10 presented by its First Reading on July 6, 2004 amending the Fiscal Year 2004-2005 Budget Appropriation Ordinance by increasing anticipated revenues for a donation providing scholarships to underprivileged low-income youth and appropriating such funds to the various summer programs serving children was adopted by the following vote:

VOTE: 7-0
AYE: Castiglione, Daniels, Hamlin, Luther, Saunders, Smith, and Williams (7).
NAY: None (0).
ABSENT: Archie, and Rawley (2).

ADDITION TO AGENDA

Upon Motion by Council Member Saunders and second by Council Member Luther, a Resolution designating the Community Improvement Council (HeadStart) as the proper entity in the City of Danville to apply for the Early Learning Opportunities Act Grant was placed on the Agenda under New Business as Item G. The vote was unanimous.

HEARING-GOODWILL INDUSTRIES TAX EXEMPTION

Mayor Hamlin opened the floor for a Public Hearing to consider a request for a tax exempt status for Goodwill Industries of Danville Area, Incorporated. Notice of the Public Hearing had been duly published in the Danville Register and Bee on July 13, 2004. No one present desired to be heard and the Public Hearing was closed.

Council Member Luther moved the adoption of an Ordinance entitled:

ORDINANCE NO. 2004-07.12

AN ORDINANCE TO DESIGNATE GOODWILL INDUSTRIES OF DANVILLE AREA, INCORPORATED AS BEING EXEMPT FROM LOCAL REAL AND PERSONAL PROPERTY TAXATION.

Council Member Saunders seconded the Motion.

Council Member Daniels said he felt it was morally wrong for Goodwill to ask for this exemption. He said there were citizens who worked hard and paid taxes and had no relief. He felt it was unfair to place an additional tax burden of \$17,000 onto those citizens.

Council Members Castiglione, Luther, and Saunders all spoke in support of the tax-exempt status for Goodwill. They felt that of all the organizations in the City, Goodwill was one of the best since it provided jobs for some who might not otherwise have an opportunity to work. Mr. Saunders said the good that the organization provides the City far outweighs the \$17,000 in taxes.

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Mr. Castiglione said guidelines and criteria needed to be developed for future request such as this. Mr. Saunders agreed there should be guidelines for review on a case-by-case basis.

Council Member Smith said the citizens of Danville pay real estate taxes in order to receive City services and felt that Goodwill should do the same. He spoke in opposition to the tax-exempt status.

Vice-Mayor Williams said he opposed the move. He felt that since the State had left this decision up to the locality, it was up to taxpayers to decide who receives such an exemption.

The Motion was adopted by the following vote:

VOTE: 4-3
AYE: Castiglione, Hamlin, Luther, and Saunders (4)
NAY: Daniels, Smith, and Williams (3).
ABSENT: Archie, and Rawley (2).

(Clerk's Note: Subsequent to this vote, City Attorney Clarke Whitfield, on Wednesday, July 21, 2004, ruled that it was necessary to have five (5) affirmative votes from sitting Council Members in order for this Motion to pass; therefore, adoption of the Ordinance **failed**).

HEARING – SALE 0.361 ACRES TO PITTSYLVANIA COUNTY

Mayor Hamlin opened the floor for a Public Hearing to consider authorizing the sale of 0.361 acres located behind the White Oak Substation on Route 41 to Pittsylvania County. Notice of the Public Hearing had been duly published in the Danville Register and Bee on July 13, 2004. No one present desired to be heard and the Public Hearing was closed.

Council Member Daniels moved the adoption of an Ordinance entitled:

ORDINANCE NO. 2004-07.13

AN ORDINANCE AUTHORIZING AND APPROVING THE SALE OF 0.361 ACRES OF LAND TO PITTSYLVANIA COUNTY LOCATED BEHIND THE CITY'S WHITE OAK SUBSTATION ON STATE HIGHWAY 41.

The Motion was seconded by Vice-Mayor Williams and adopted by the following vote:

VOTE: 7-0
AYE: Castiglione, Daniels, Hamlin, Luther, Saunders, Smith, and Williams (7).
NAY: None (0).
ABSENT: Archie, and Rawley (2).

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HEARING – JOINT ENTERPRISE ZONE WITH PITTSYLVANIA COUNTY

Mayor Hamlin opened the floor for a Public Hearing to consider authorizing the City Manager to submit an amended application for the Pittsylvania County/Danville City Enterprise Zone. Notice of the Public Hearing had been duly published in the Danville Register and Bee on July 6 and 13, 2004. No one present desired to be heard and the Public Hearing was closed.

Council Member Castiglione moved the adoption of a Resolution entitled:

RESOLUTION NO. 2004-07.02

A RESOLUTION AUTHORIZING THE CITY MANAGER TO SUBMIT TO THE VIRGINIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT AN ENTERPRISE ZONE AMENDMENT APPLICATION FOR THE PITTSYLVANIA COUNTY/DANVILLE CITY ENTERPRISE ZONE.

The Motion was seconded by Council Member Daniels and adopted by the following vote:

VOTE: 7-0
AYE: Castiglione, Daniels, Hamlin, Luther, Saunders, Smith, and Williams (7).
NAY: None (0).
ABSENT: Archie, and Rawley (2).

BUDGET AMENDMENT-FY 2004-05-TITLE III-B & III-D GRANT FUNDS

Upon Motion by Vice-Mayor Williams and second by Council Member Smith, an Ordinance entitled:

ORDINANCE NO. 2004-07.14

AN ORDINANCE AMENDING THE FISCAL YEAR 2004-2005 BUDGET APPROPRIATION ORDINANCE BY INCREASING CERTAIN REVENUES TO PROVIDE FOR TITLE III-B AND TITLE III-D GRANT FUNDS AND LOCAL SHARE FOR SENIOR CITIZEN PROGRAMS AND APPROPRIATING SAME

was presented by its First Reading, as required by City Charter, to lie over before final adoption.

FUNDING – U. S. DEPARTMENT OF HOMELAND SECURITY

Council Member Castiglione moved the adoption of a Resolution entitled:

RESOLUTION NO. 2004-07.03

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A RESOLUTION AUTHORIZING THE CITY MANAGER TO ACCEPT A GRANT FROM THE U. S. DEPARTMENT OF HOMELAND SECURITY, STATE HOMELAND SECURITY GRANT PROGRAM, TO EQUIP EMERGENCY RESPONDERS TO HAVE BETTER PREPAREDNESS TO COMBAT AND DEAL WITH TERRORIST ACTS INVOLVING WEAPONS OF MASS DESTRUCTION AND OTHER HOMELAND SECURITY INCIDENTS.

The Motion was seconded by Council Member Daniels and adopted by the following vote:

VOTE: 7-0
AYE: Castiglione, Daniels, Hamlin, Luther, Saunders, Smith, and Williams (7).
NAY: None (0).
ABSENT: Archie, and Rawley (2).

BUDGET AMENDMENT-FY 2004-05-HOMELAND SECURITY GRANT FUNDS

Upon Motion by Vice-Mayor Williams and second by Council Member Smith, an Ordinance entitled:

ORDINANCE NO. 2004-07.15

AN ORDINANCE AMENDING THE FISCAL YEAR 2004-2005 BUDGET APPROPRIATION ORDINANCE TO PROVIDE FOR A GRANT IN THE AMOUNT OF \$167,721 FROM THE U. S. DEPARTMENT OF HOMELAND SECURITY, STATE HOMELAND SECURITY GRANT PROGRAM TO EQUIP EMERGENCY RESPONDERS TO HAVE BETTER PREPAREDNESS TO COMBAT AND DEAL WITH TERRORIST ACTS INVOLVING WEAPONS OF MASS DESTRUCTION AND OTHER HOMELAND SECURITY INCIDENTS

was presented by its First Reading, as required by City Charter, to lie over before final adoption.

ACCEPT FOR PROPERTIES AT 615 & 815 SOUTH MAIN STREET

Council Member Smith moved the adoption of a Resolution entitled:

RESOLUTION NO. 2004-07.04

A RESOLUTION ACCEPTING THE HIGHEST BIDS FOR TWO PROPERTIES OWNED BY THE CITY AND LOCATED AT 615 AND 815 SOUTH MAIN STREET AND AUTHORIZING THE CITY MANAGER TO ACCEPT THE BIDS BY EXECUTING THE APPROPRIATE DOCUMENTS.

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The Motion was seconded by Council Member Daniels and adopted by the following vote:

VOTE: 7-0
AYE: Castiglione, Daniels, Hamlin, Luther, Saunders, Smith, and Williams (7).
NAY: None (0).
ABSENT: Archie, and Rawley (2).

EARLY LEARNING OPPORTUNITIES GRANT APPLICATION

Council Member Luther moved the adoption of a Resolution entitled:

RESOLUTION NO. 2004-07.05

A RESOLUTION DESIGNATING THE COMMUNITY IMPROVEMENT COUNCIL (HEADSTART) AS THE LOCAL COUNCIL TO SERVE THE CITY OF DANVILLE FOR THE PURPOSE OF APPLYING FOR AN EARLY LEARNING OPPORTUNITIES ACT (ELOA) DISCRETIONARY GRANT.

Council Member Saunders seconded the Motion.

Mayor Hamlin recognized Carlton Hemingway with Writers' Block International. Mr. Hemingway advised that the Early Learning Opportunity Grant is administered by the Department of Health and Human Services, Administration for Children and Families. The Act was passed by Congress to enable States to increase, support, expand, and better coordinate early learning opportunities for children and their families through local community organization. He said to qualify for the grant the Community Improvement Council must have the local government designate them as the local council in order to apply for the grant.

The Resolution was adopted by the following vote:

VOTE: 7-0
AYE: Castiglione, Daniels, Hamlin, Luther, Saunders, Smith, and Williams (7).
NAY: None (0).
ABSENT: Archie, and Rawley (2).

COMMUNICATIONS

There were no communications from the Deputy City Manager, the City Attorney, and the City Clerk.

ROLL CALL

Council Member Castiglione advised that Danville Community College has been selected as one of three community colleges in the State to become a middle college. Mr.

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Castiglione said this would help with the City's economic development efforts in that the program would focus on 35-45 individuals. The students would be working toward their GEDs, which is free of charge. The training will prepare the students for the job market with a 2-year degree or a future 4-year degree.

Mr. Castiglione stated he was very impressed with the CAP presentation and said he appreciated the work they do.

Council Member Daniels stated that area convenience markets are putting up advertising at their stores that seem to be in conflict with the city's sign ordinance. He asked Deputy City Manager Lacy to investigate the possibility of violations of the ordinance at these establishments and offer an opinion for Council Member's review.

Mayor Hamlin called attention to a VML newsletter update and a 2004 United Way Pacesetter Campaign brochure that had been placed at the desk of each Council Member for review.

Mayor Hamlin asked for prayers for the Archie family. Council Member Archie's daughter and newborn grandchild are experiencing serious medical difficulties at this time.

Council Member Luther commented on several employee newsletters that had been placed at Council Members' desks. He said the information was very informative and he appreciated the time and effort it took to prepare the publications.

Council Member Saunders extended thoughts and prayers to the Archie family.

Council Member Smith said the debate on the Goodwill tax exemption matter had been very good. Mr. Smith said that in the times ahead, there would probably be more discussion relating to taxation. He also expressed his appreciation for the excellent presentations before Council during the meeting.

Vice-Mayor Williams agreed with Mr. Smith, stating the presentations reflected the enthusiasm throughout the City relating to economic development and other revitalization efforts.

The Meeting adjourned at 8:33 P.M.

MAYOR

CLERK

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